



General Assembly

Substitute Bill No. 6836

January Session, 2015



**AN ACT CONCERNING THE TIMING OF CRIMINAL HISTORY
RECORDS CHECKS FOR SCHOOL EMPLOYEES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 10-221d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2015*):

4 (a) Each local and regional board of education shall (1) require each
5 applicant for a position in a public school to state whether such person
6 has ever been convicted of a crime or whether criminal charges are
7 pending against such person at the time of such person's application,
8 (2) (A) on and after July 1, 2011, require each applicant for a position in
9 a public school requiring a certificate, authorization or permit issued
10 pursuant to chapter 166 to submit to a records check of the Department
11 of Children and Families child abuse and neglect registry established
12 pursuant to section 17a-101k, before such applicant may be hired by
13 such board, and (B) on and after July 1, 2012, require each applicant for
14 a position in a public school that does not require a certificate,
15 authorization or permit issued pursuant to chapter 166 to submit to a
16 records check of the Department of Children and Families child abuse
17 and neglect registry established pursuant to section 17a-101k, before
18 such applicant may be hired by such board, (3) require, subject to the
19 provisions of subsection (d) of this section, each person hired by the

20 board after July 1, [1994] 2015, to submit to state and national criminal
21 history records checks [within thirty] not later than five business days
22 [from] after the date of employment and may require, subject to the
23 provisions of subsection (d) of this section, any person hired prior to
24 said date to submit to state and national criminal history records
25 checks, and (4) require each worker (A) placed within a school under a
26 public assistance employment program, (B) employed by a provider of
27 supplemental services pursuant to the No Child Left Behind Act, P.L.
28 107-110, or (C) on and after July 1, [2010] 2015, in a nonpaid,
29 noncertified position completing preparation requirements for the
30 issuance of an educator certificate pursuant to chapter 166, who
31 performs a service involving direct student contact to submit to state
32 and national criminal history records checks [within thirty] not later
33 than five business days [from] after the date such worker begins to
34 perform such service. The criminal history records checks required by
35 this subsection shall be conducted in accordance with section 29-17a. If
36 the local or regional board of education receives notice of a conviction
37 of a crime which has not previously been disclosed by such person to
38 the board, the board may (i) terminate the contract of a certified
39 employee, in accordance with the provisions of section 10-151, and (ii)
40 dismiss a noncertified employee provided such employee is notified of
41 the reason for such dismissal, is provided the opportunity to file with
42 the board, in writing, any proper answer to such criminal conviction
43 and a copy of the notice of such criminal conviction, the answer and
44 the dismissal order are made a part of the records of the board. In
45 addition, if the local or regional board of education receives notice of a
46 conviction of a crime by a person (I) holding a certificate, authorization
47 or permit issued by the State Board of Education, (II) employed by a
48 provider of supplemental services, or (III) on and after July 1, 2010, in a
49 nonpaid, noncertified position completing preparation requirements
50 for the issuance of an educator certificate pursuant to chapter 166, the
51 local or regional board of education shall send such notice to the State
52 Board of Education. The supervisory agent of a private school may
53 require any applicant for a position in such school or any employee of
54 such school to submit to state and national criminal history records

55 checks in accordance with the procedures described in this subsection.

56 Sec. 2. Subsection (c) of section 29-17a of the general statutes is
 57 repealed and the following is substituted in lieu thereof (*Effective July*
 58 *1, 2015*):

59 (c) The Commissioner of Emergency Services and Public Protection
 60 (1) may provide an expedited service for persons requesting criminal
 61 history records checks in accordance with this section, and (2) shall
 62 provide an expedited service for any local or regional board of
 63 education requesting criminal history records checks in accordance
 64 with section 10-221d, as amended by this act. Such expedited service
 65 shall include making the results of such records checks available to the
 66 requesting party through the Internet. The commissioner may enter
 67 into a contract with any person, firm or corporation to establish and
 68 administer such expedited service. The commissioner shall charge, in
 69 addition to the fees charged pursuant to subsection (b) of this section, a
 70 fee of fifty dollars for each expedited criminal history [record] records
 71 check provided, except the commissioner shall not charge an
 72 additional fee for each expedited criminal history records check
 73 requested by a local or regional board of education. The fee charged
 74 pursuant to subsection (b) of this section and the expedited service fee
 75 charged pursuant to this subsection, if any, shall be paid by the
 76 requesting party in such manner as may be required by the
 77 commissioner.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	10-221d(a)
Sec. 2	<i>July 1, 2015</i>	29-17a(c)

ED Joint Favorable Subst.